

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 8, 2006

DIVISION TWO

B183077 People (Not for Publication)
v.
Johnson

The judgment is modified to stay execution of sentences in counts 4 and 6 and is otherwise affirmed. The trial court is directed on remand to correct the abstract of judgment to reflect that counts 2, 4 and 6 are stayed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

B178202 Marx (Not for Publication)
v.
Storage Technology Corporation

The judgment of the trial court is reversed. The matter is remanded with directions that the trial court issue a new order granting STK's motion for JNOV. STK is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

Each of the following:

B193167	Tonya M. v. SCLA
B184949	People v. Stanch
B184441	People v. Lam et al.
B190225	People v. Rodriguez
B189617	DCFS v. Richard S.
B190160	DCFS v. Fermin G., et al.
B190153	Fink v. Hollywood Marble, Inc., et al.

Argument waived, cause submitted.

B189893	Spangler, et al. v. City of Glendora
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Merits:

Argued by Michael B. Montgomery for appellants and by D. Wayne Leech for respondent. Cause submitted.

B191187	People v. Roman
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Merits:

Argued by James Koester for appellant and by Steven D. Matthews for respondent. Cause submitted.

November 8, 2006 (Continued)

DIVISION FOUR (Continued)

B187368 People
v.
Walker

Merits:

Argued by Christine C. Shaver for appellant and by Viet H. Nguyen for respondent. Cause submitted.

Court adjourned.

B184707 People (Not for Publication)
v.
Patterson

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FIVE

B185653 People (Not for Publication)
v.
Adrian Richardson

The superior court clerk is directed to correct the abstract of judgment to reflect defendant's presentence custody credits of 716 days. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

November 8, 2006 (Continued)

DIVISION FIVE (Continued)

B188164 Robert Ken Kasamatsu (Not for Publication)
 v.
 Cynthia Hunt

The dismissal order is reversed in part. The dismissal of causes of action one through three is reversed. A new order overruling the demurrer to the first three causes of action is to be entered. The demurrer dismissal of the fourth and fifth causes of action is affirmed albeit pursuant to Code of Civil Procedure section 581, subdivision (f)(1). All parties are to bear their own costs incurred on appeal.

Turner, P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B186172 State Farm General Ins. Co. v. O'Kun

Argument continued to December, 2006.

B193530 Arianna R. v. Ventura County Superior Court
 (Human Services Agency)

Off calendar; dismissed October 31, 2006.

DIVISION SIX (Continued)

B186756 Biejo
 v.
 Dakessian

Merits:

Argued by William Rehwald for appellant and by John L. Moriarity for respondent. Cause submitted.

B186196 Eriz
 v.
 Rodas

Merits:

Argued by W. Bradley Thomas for appellants and by Aaron B. Smith for respondents. Cause submitted.

B193016 Leah B.
 v.
 Ventura County Superior Court
 (Human Services Agency, r.p.i.)

Extraordinary:

Presented by Leah B., petitioner, appearing in propria persona and by Alison Harris, Assistant County Counsel, for real party in interest. Cause submitted.

B185893 Penuela
 v.
 Lemelin

Merits:

Argued by Wendy C. Lascher for appellant and by Wayne T. King for respondent. Cause submitted.

Gilbert, P.J. left the bench.

November 8, 2006 (Continued)

DIVISION SIX (Continued)

B185390 Betouliere
 v.
 Bauman

Merits:

Argued by Thomas J. Dowling for appellants and by Alejandro P. Gutierrez for respondents. Cause submitted.

Court recessed at 10:20 A.M.

Court reconvened at 1:30 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B187619 Dept. of Social Services v. Erika N.
B191026 Child Welfare Services v. Sylvia L.
B192964 Guadalupe G. v. San Luis Obispo Superior Court (Dept. of Social Services)

Argument waived, cause submitted.

B173829 El Escorial Owners' Assoc. v. DLC Plastering, Inc.

Ordered off calendar.

B188918 Soussa
 v.
 Valverde and Dept. of Motor Vehicles

Merits:

Argued by Lee A. McCoy for appellant and by Michelle Logan-Stern, Deputy Attorney General, for respondents. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B186114 SP West, LLC
v.
City of Santa Paula

Merits:

Argued by Barbara Macri-Ortiz for appellants and by Mark D. Alpert for respondent SP West, LLC. Argument previously waived by respondent City of Santa Paula. Cause submitted.

Court adjourned.

DIVISION SEVEN

B194142 Felix R. (Not for Publication)
v.
Superior Court, Los Angeles County
(DCFS, r.p.i.)

Let a peremptory writ of mandate issue requiring the respondent to vacate its order setting a hearing pursuant to Welfare and Institutions Code section 366.36, and to issue a new order continuing reunification services for Felix R. as to Erica R. and Brianna R. Good cause appearing therefore, this decision becomes final as to this court forthwith, and the remittitur shall issue forthwith.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION EIGHT

B185917 People (Not for Publication)
v.
Sims

The judgment is modified to reflect a \$200 restitution fine pursuant to Penal Code section 1202.4, subdivision (b) and a \$200 fine pursuant to Penal Code section 1202.45, the latter fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect these fines. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

B186402 Daugherty et al.
v.
American Honda Motor Co., Inc.

Filed order modifying opinion. It is further ordered that the opinion in the above-captioned case be published in the official reports. (No change in the judgment)